



CITY OF MEMPHIS

COUNCIL AGENDA - **REVISED**

February 2, 2016

Public Session Tuesday, 3:30 p.m.

Council Chambers, First Floor, City Hall

125 North Main Street

Memphis, Tennessee 38103-2017

CALL TO ORDER by the Sergeant-at-Arms

INVOCATION

Any invocation that may be offered before the official start of the Council meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Council and do not necessarily represent the religious beliefs or views of the Council in part or as a whole. No member of the community is required to attend or participate in the invocation and such decision will have no impact on their right to actively participate in the business of the Council. Copies of the policy governing invocations and setting forth the procedure to have a volunteer deliver an invocation are available upon written request submitted to the Council Administrator of the Memphis City Council.

PLEDGE OF ALLEGIANCE

CALL OF ROLL by the Comptroller

APPROVAL OF PREVIOUS MEETING MINUTES (January 19, 2016)

ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

ITEMS HELD OR DROPPED FROM THE AGENDA

PRESENTATIONS AND RECOGNITION OF VISITORS

1. RESOLUTION approving an honorary street name change, located at Mississippi Blvd., for Dr. Kenneth S. Robinson and Rev. Marilyn Robinson. This resolution is sponsored by Councilman Edmund Ford.

ACTION REQUESTED: Adopt the resolution

2. RESOLUTION approving an honorary street name change, located at Norris Road, for Apostle Perry Maples, Jr., D.D.. This resolution is sponsored by Councilwoman Jamita Swearengen.

ACTION REQUESTED: Adopt the resolution

DIVISION OF PLANNING AND DEVELOPMENT

3. RESOLUTION approving a special use permit located at 2119 Chelsea Avenue (Parcel ID 041043 00001), containing 0.15 acre in the Commercial Mixed Use-3 (CMU-3) District. This resolution is sponsored by the Office of Planning and Development. **(Colvett-Chairman, Planning & Zoning Committee).**

Case No. SUP 15-221

Applicant: Marvin Coleman
McCaskill & Associates, Inc. – Tim McCaskill – Representative

Request: A Special Use Permit to allow the sale of fuel efficient late model vehicles in the Commercial Mixed Use-3 (CMU-3) zoning district

LUCB recommendation: APPROVAL, with conditions

OPD recommendation: REJECTION

ACTION REQUESTED: Take whatever action Council deems advisable

No Opposition at LUCB; No Public Hearing Required

ZONING ORDINANCE – THIRD AND FINAL READING (None)



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CONSENT AGENDA

GENERAL ORDINANCE - FIRST READING (None)

GENERAL ORDINANCE - SECOND READING

4. **ORDINANCE** amending the Residential Parking Permit Pilot Program near Overton Square making the program permanent, up for S E C O N D reading. Ordinance No. 5610 is sponsored by Engineering and Councilman Worth Morgan. (**Hedgepeth-Chairman, Public Works Committee**).

ACTION REQUESTED: Adopt the ordinance on Second reading

ZONING ORDINANCE - FIRST READING (None)

ZONING ORDINANCE - SECOND READING

5. **ORDINANCE** rezoning the northeast, southeast and southwest corners of New Allen Road and New Frayser Boulevard, containing 178 acres in the Residential Single Family (R-6), Residential Urban (RU-2) and (RU-3) and Commercial Mixed Use (CMU-1) Districts, up for S E C O N D reading. This resolution is sponsored by the Office of Planning and Development. (**Colvett-Chairman, Planning & Zoning Committee**)
Case No. Z 15-104
Ordinance No. 5609

Applicant: Belz Investco, GP
Burch-Porter-Johnson, PLLC – Representative

Request: Employment (EMP) District

LUCB and OPD recommendation: APPROVAL

ACTION REQUESTED: Adopt the ordinance on Second reading

ENGINEERING (None)

NOTATION FROM OPD (None)



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REGULAR AGENDA

GENERAL ORDINANCE – THIRD AND FINAL READING (None)

ENGINEERING DIVISION (None)

EXECUTIVE DIVISION (None)

FINANCE & ADMINISTRATION (None)

DIVISION OF FIRE SERVICES (None)

DIVISION OF GENERAL SERVICES (None)

DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT (None)

DIVISION OF HUMAN RESOURCES (None)

INFORMATION SERVICES (None)

LAW DIVISION (None)

DIVISION OF PARKS AND NEIGHBORHOODS (None)

DIVISION OF POLICE SERVICES (None)

DIVISION OF PUBLIC WORKS



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MLGW FISCAL CONSENT

6. RESOLUTION awarding Contract No. 11775, Roof Maintenance, to Dakota Corporation, d/b/a Jessie Bryant Roofing, based on approved unit prices, in the funded amount, not-to-exceed \$65,000.00.
7. RESOLUTION approving payment of an invoice from Tennessee One Call System, Inc., for annual membership dues for the year 2016 plus locate request tickets, in the amount of \$101,514.80.
8. RESOLUTION approving Change No. 2 to Contract No. 11647, Blanket Contract Drilled Pier Foundation, with Reliable Constructors, Incorporated, in the funded amount not-to-exceed \$165,890.00. (This change is to renew the current contract for the second of four annual renewal terms covering the period February 5, 2016 through February 4, 2017. This renewal reflects a 1.88% increase in rates from the previous year due to an increase in material and equipment costs. In addition, this amount includes potential emergency projects.)
9. RESOLUTION awarding Contract No. 11817, High Volume Outage Call Management, to West Notifications, Incorporated, d/b/a Twenty First Century Communications, in the funded amount of \$2,222,200.00.
10. RESOLUTION awarding a contract to W. R. Grace & Company, for molecular sieve and support balls, in the amount of \$58,920.00.
11. RESOLUTION approving payment of an invoice from the City of Memphis Public Works Department for the annual sewer discharge fee, for the 2014 filter backwash discharge for seven water pumping stations, in the amount of \$413,687.17.
12. RESOLUTION approving Change No. 1 to Contract No. 11715, In-Service Wood Pole Truss Restoration System, with Osmose Utilities Services, Incorporated, based on agreed to rates, in the funded amount of \$600,000.00. (This change is to renew the current contract for the first of four annual renewal terms for the period covering December 4, 2015 through December 3, 2016.)
13. RESOLUTION awarding a contract to Brighter Days and Nites, Inc., for controls, in the amount of \$79,904.00.

14. MLGW DIVISION plans to issue tax-exempt Series 2016 Gas System Revenue Bonds in an original aggregated principal amount of not to exceed \$40,000,000 following completion of the Division's 2015 audited financial statements (anticipated to be June 2016). The Division intends to use a portion of the proceeds of the Bonds to reimburse the Division for costs incurred prior to the issuance of the Bonds. Under federal tax law, in order for the proceeds of tax-exempt Bonds to be used to reimburse the Division for prior expenditures, the Division and the City must declare their official intent to reimburse the Division for prior expenditures with proceeds of the Bonds. This resolution will constitute such declaration of official intent and will allow the Division to utilize a portion of the Bond proceeds to reimburse the Division for capital expenditures incurred on or after the date that is sixty days prior to the approval date of this Resolution by the City.
15. MLGW DIVISION plans to issue tax-exempt Series 2016 Water System Revenue Bonds in an original aggregated principal amount of not to exceed \$30,000,000 following completion of the Division's 2015 audited financial statements (anticipated to be June 2016). The Division intends to use a portion of the proceeds of the Bonds to reimburse the Division for costs incurred prior to the issuance of the Bonds. Under federal tax law, in order for the proceeds of tax-exempt Bonds to be used to reimburse the Division for prior expenditures, the Division and the City must declare their official intent to reimburse the Division for prior expenditures with proceeds of the Bonds. This resolution will constitute such declaration of official intent and will allow the Division to utilize a portion of the Bond proceeds to reimburse the Division for capital expenditures incurred on or after the date that is sixty days prior to the approval date of this Resolution by the City.
16. MLGW DIVISION plans to issue tax-exempt Series 2016 Electric System Revenue Bonds in an original aggregated principal amount of not to exceed \$40,000,000 following completion of the Division's 2015 audited financial statements (anticipated to be June 2016). The Division intends to use a portion of the proceeds of the Bonds to reimburse the Division for costs incurred prior to the issuance of the Bonds. Under federal tax law, in order for the proceeds of tax-exempt Bonds to be used to reimburse the Division for prior expenditures, the Division and the City must declare their official intent to reimburse the Division for prior expenditures with proceeds of the Bonds. This resolution will constitute such declaration of official intent and will allow the Division to utilize a portion of the Bond proceeds to reimburse the Division for capital expenditures incurred on or after the date that is sixty days prior to the approval date of this Resolution by the City.
17. RESOLUTION approving Change No. 4 to Contract No. 11476, Industrial Psychology Services, with Lopez and Associates, in the funded amount of \$42,000.00. (This change is to renew the current contract for a three year term for the period covering April 1, 2016 through March 31, 2019, with no increase from the previous years.)

18. RESOLUTION granting MLGW the approval to make a payment of for a litigation settlement, in the amount of \$59,962.50. (SAME NIGHT MINUTES REQUESTED)
19. RESOLUTION allocating and appropriating \$4,714,000.00 in Raleigh Drainage Basin, project ST03202, for Raleigh Spring Mall Redevelopment project. This resolution is sponsored by Public Works Division. **(Hedgepeth-Chairman, Public Works Committee).**

ACTION REQUESTED: Adopt the resolution

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20. RESOLUTION approving an annual construction project to repair and rehab existing damaged sanitary sewer pipe using cured in place technology at various locations, in the amount of \$1,650,000.00. The \$1,650,000.00 will be transferred from unencumbered funds from Project SW02001 to SW02139. This resolution is sponsored by Public Works Division. **(Hedgepeth-Chairman, Public Works Committee).**

ACTION REQUESTED: Adopt the resolution

GENERAL ITEM

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT

ADD-ONS

21. RESOLUTION requesting a task force be established to study and develop recommendations for a competitive benefits package to enhance and retain Public Safety employees. This resolution is sponsored by Councilman Edmund Ford, Jr. **(Morgan-Chairman, Public Safety & Homeland Security Committee).**

ACTION REQUESTED: Adopt the resolution

22. RESOLUTION allowing the City of Memphis through the Division of Police Services, to accept grant funds in the amount of \$29,383.00. This resolution is sponsored by Police Services. **(Morgan-Chairman, Public Safety & Homeland Security Committee).**

ACTION REQUESTED: Adopt the resolution

23. RESOLUTION seeking acceptance for donations for (8) SkyCop Integrated Camera Enclosure System w/(2) flashing blue lights, MPD/Skycop Logos (2) Fixed 2.1 MP Bullet Cameras, DVR w/4TB storage, Power & Surge Protection, 4G LTE Embedded SIM Card Wireless Broadband Router and (8) SkyCop® License Plate Readers with software licenses, (8) MLGW Pole Permits and (24) Air Cards for MPD Real Time Crime Center. The cumulative total of the complete donation has an estimated value of \$131,970.96 after installation. These items are donated by the Memphis/Shelby County Law Enforcement Foundation. This resolution is sponsored by Police Services. **(Morgan-Chairman, Public Safety & Homeland Security Committee).**

ACTION REQUESTED: Adopt the resolution

24. RESOLUTION extending the moratorium on the issuance of building permits in and surrounding the Pinch District, with the exception of St. Jude and its properties, for an additional 120 days. This resolution is sponsored by Councilman Boyd. **(Colvett-Chairman, Planning & Zoning Committee).**

ACTION REQUESTED: Adopt the resolution

25. RESOLUTION urging both Tennessee State legislative bodies to pass House Bill 1787 and Senate Bill 1797, abolishing Achievement School Districts and providing additional support to the development of I-Zone Schools. This resolution is sponsored by Councilman Jones. **(Spinosa-Chairman, Personnel & Intergovernmental Committee).**

ACTION REQUESTED: Adopt the resolution

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ADD-ONS

ACTION TAKEN BY COUNCIL ON THIS DATE

1. & 2 – Approved
3. Held until February 16, 2016
4. & 5 – Approved
6. Through 18 – Held until February 16, 2016
19. & 20 – Approved
21. Approved, as amended
22. Through 25 – Approved

ACTION TAKEN BY COUNCIL ON THE MINUTES OF JANUARY 19, 2016 MEETING

Approved

ACTION TAKEN BY COUNCIL ON THE MINUTES OF ITEMS #21, #22, #23, #24 & #25 FROM TONIGHT'S MEETING

Approved